

September 9, 2010

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Re: *In the Matter of Thomas W. Zuehl and the City of Hollandale*
OAH No. 3-3100-21456-2

Dear Counsel:

This letter constitutes the Second Prehearing Order in the above matter regarding our discussions in the telephone conference held on September 7, 2010. Mr. Tanick and Mr. Trobaugh appeared for Thomas Zuehl (Petitioner); Ms. Beety appeared for the City of Hollandale (City). The parties have expressed interest in pursuing mediation; counsel for the City anticipates advising counsel for the Petitioner next week whether the City has affirmatively agreed to mediate. If so, one of the parties should write to Chief Judge Krause to request the appointment of an ALJ as a mediator.

In the event that the matter is not resolved in mediation, the Petitioner contemplates performing some limited written discovery and perhaps taking one deposition. In light of the scheduled hearing date on October 27-28, 2010, the responding party shall provide responses to any written discovery requests within ten business days. By October 20, 2010, the parties shall exchange all documents they intend to offer into evidence at the hearing, along with a witness list containing a brief summary of the anticipated testimony of each witness. The parties should provide a copy of the exhibit and witness lists to the Administrative Law Judge at this time.

Sincerely,

s/Kathleen D. Sheehy
KATHLEEN D. SHEEHY
Administrative Law Judge
651/361-7848

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